

49D01-2007-CT-022939
Marion Superior Court, Civil Division 1

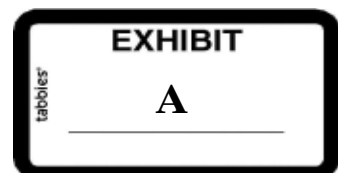
Filed: 7/13/2020 9:46 AM
Clerk
Marion County, Indiana

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|------------------------|-------------------------------------|
| STATE OF INDIANA) | IN THE MARION COUNTY SUPERIOR COURT |
|) SS: | |
| COUNTY OF MARION) | CAUSE NO: |
| BRIANNA LYNESS, |) |
| |) |
| Plaintiff |) |
| |) |
| vs. |) |
| |) |
| AMERICAN MULTI-CINEMA, |) |
| INC., |) |
| |) |
| Defendant. |) |

COMPLAINT FOR DAMAGES

COMES now the Plaintiff, Brianna Lyness ("Plaintiff"), by counsel, and for her Complaint for Damages against the Defendant, American Multi-Cinema, Inc., alleges and asserts that:

1. At all times mentioned herein, the Plaintiff, Brianna Lyness, was and is a resident of the City of Lebanon, County of Boone, State of Indiana.
2. At all times mentioned herein, the Defendant, American Multi-Cinema, Inc., ("Defendant") was doing business in the State of Indiana and was maintaining a premises located at 10280 E. Washington Street, City of Indianapolis, County of Marion, State of Indiana.
3. All of the acts and/or omissions of the Defendant, American Multi-Cinema, Inc., herein alleged, were performed and/or omitted by and through the agents, servants, and/or employees of the Defendant while they were acting within the scope and course of their employment.



4. On or about November 24, 2019, the Plaintiff, Brianna Lyness, was a guest and invitee of the Defendant at the above-referenced premises, when she was injured.

5. The Defendant was required to exercise reasonable and ordinary care under all circumstances and operation of its premises, including the above- referenced premises at which the Plaintiff was injured.

6. The above-mentioned incident was directly and proximately caused by the carelessness and negligence of the Defendant, including, but not limited to, one or more of the following acts and/or omissions:

- a. The Defendant carelessly and negligently failed to inspect and discover the dangerous condition existing at said location;
- b. The Defendant carelessly and negligently failed to warn the Plaintiff of the dangerous condition existing at said location when the Defendant knew or should have known of the same;
- c. The Defendant carelessly and negligently failed to provide premises reasonably safe under the existing conditions; and
- d. The Defendant carelessly and negligently failed to correct the dangerous condition at said location when the Defendant knew or should have known of the existence of the same.

7. As a direct and proximate result of the Defendant's carelessness and negligence, the Plaintiff sustained personal injuries, resulting in pain and suffering.

8. As a result of her injuries and their effects, the Plaintiff, Brianna Lyness, has been required to engage the services of hospitals, physicians, and medical technicians for medical treatment, medication and x-rays, and has incurred, and may incur in the future, medical expenses for such treatment.

9. As a result of her injuries, the Plaintiff, Brianna Lyness, has incurred reasonable medical expenses for medical care and treatment and may incur additional medical expenses in the future.

WHEREFORE, the Plaintiff, Brianna Lyness, prays for judgment against the Defendant, American Multi-Cinema, Inc., in an amount commensurate with her injuries and damages, for the costs of this action, and for all other just and proper relief in the premises.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Kellie C. Clark", written over a horizontal line.

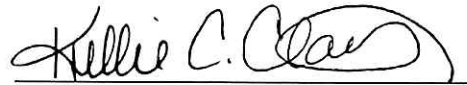
Kellie C. Clark, #30999-29
Attorney for Plaintiff

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REQUEST FOR TRIAL BY JURY

Comes now the Plaintiff, Brianna Lyness, by counsel, and file herein her request for trial by jury for the above action.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kellie C. Clark", written over a horizontal line.

Kellie C. Clark, #30999-29
Attorney for Plaintiff

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JUL 15 2020